



General Assembly

Substitute Bill No. 5628

February Session, 2004

* _____ HB05628PH _____ 031804 _____ *

AN ACT CONCERNING FUNERAL DIRECTORS AND VITAL RECORDS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 7-42 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2004*):

3 Each registrar of vital statistics shall ascertain as accurately as the
4 registrar can all marriages, deaths and fetal deaths, and all births, upon
5 the affidavit of the father or mother, occurring in the registrar's town,
6 and record the same in such form and with such particulars as are
7 prescribed by the department. The registrar shall give licenses to
8 marry, according to provisions of law, shall make and perfect all
9 records of the birth and death of the persons born or deceased in the
10 registrar's town, and, when any birth or death happens of which no
11 certificate is returned to the registrar, shall obtain the information
12 required by law respecting such birth or death. The registrar shall
13 ensure that all certificates of birth, marriage, death and fetal death are
14 fully completed before accepting the certificate for filing. The registrar
15 shall include the Social Security numbers of both persons on all
16 marriage licenses. The registrar shall make available to all persons in
17 the registrar's town who, in the registrar's judgment, are likely to need
18 them, blank forms for the certificates and returns required by law to be
19 made to the registrar, and shall amend or correct certificates of births,

20 marriages, deaths and fetal deaths that occurred in the registrar's town,
21 and the records thereof, whenever the registrar discovers transcribing,
22 typographical or clerical errors upon the face thereof. When the
23 registrar makes a correction on a certificate of birth, marriage, death or
24 fetal death, the registrar shall, within ten days, forward an
25 authenticated copy of the corrected certificate to the department and
26 any other registrar having a copy of the certificate. The registrar shall
27 maintain sufficient documentation, as prescribed by the commissioner,
28 to support such correction, and shall ensure the confidentiality of such
29 documentation as required by law. The date of the correction and a
30 summary description of the evidence submitted in support of the
31 correction shall be made part of the record. The certificate shall not be
32 marked "Amended" unless an amendment is made as provided in
33 subdivision (10) of section 7-36, as amended. The registrar shall record
34 on each certificate of birth, marriage, death or fetal death received for
35 record the date of its receipt, by writing on the certificate or through
36 electronic means. The registrar of vital statistics from the town where a
37 child was born may electronically access birth data for such child to
38 make corrections and amendments as requested by the parent or
39 parents, the reporting hospital, or the department, excluding
40 amendments regarding parentage and gender change. Amendments to
41 vital records made by the registrar of vital statistics in the town of
42 occurrence shall be made in accordance with section 19a-42, as
43 amended. The registrar shall keep the records of the registrar's office,
44 when a fireproof safe is not provided for the registrar's use, in the
45 vaults provided for the land records of the town. The registrar may,
46 with the approval of the department, store any records not in current
47 use in a location other than the registrar's office or such vaults,
48 provided such location shall be approved by the Public Records
49 Administrator, and provided such location is within the limits of such
50 town. The registrar shall, on or before the fifteenth day of each month,
51 send to the commissioner an authenticated copy of each certificate of
52 birth, marriage, death and fetal death received by the registrar for the
53 calendar month next preceding or a notification that no such certificate
54 has been received. Such notification shall be in a format prescribed by

55 the department. Copies of certificates of births, marriages, deaths and
56 fetal deaths, transmitted to the commissioner as required under this
57 section, shall be plain, complete and legible transcripts of the
58 certificates. If a transcript is illegible or incomplete, the commissioner
59 shall require of the registrar a complete or legible copy. Each registrar
60 of vital statistics shall also transmit to the registrars of voters for the
61 registrar's town a notice of the death of any person seventeen years of
62 age or older, at the same time the registrar transmits the authenticated
63 copy of the certificate of death for such person to the commissioner
64 under this section.

65 Sec. 2. Subsection (a) of section 7-44 of the general statutes is
66 repealed and the following is substituted in lieu thereof (*Effective*
67 *October 1, 2004*):

68 (a) When it appears from the certificate of a birth, marriage, death or
69 fetal death filed with any registrar of vital statistics that the residence
70 of the mother of the child or that of either of the parties to the marriage
71 or that of the deceased was in some other town in this state [or a town
72 in any other state where town officials retain custody of such
73 certificates,] at the time of such birth, marriage, death or fetal death,
74 such registrar shall at once transmit an authenticated copy of such
75 certificate of birth, marriage, death or fetal death, including all
76 information contained on such certificate, to the registrar of the town
77 in which the mother of such child or either of the contracting parties to
78 such marriage or such deceased resided at the time of such birth,
79 marriage, death or fetal death. Such copy shall be in the format
80 prescribed by the department. Any registrar of vital statistics of any
81 town or city in this state, receiving such authenticated copy of a birth,
82 marriage, death or fetal death certificate from a registrar of a town or
83 city in this [or any other] state, shall record the same, but shall not
84 transmit a copy thereof to the commissioner.

85 Sec. 3. Subsection (a) of section 7-48 of the general statutes is
86 repealed and the following is substituted in lieu thereof (*Effective*
87 *October 1, 2004*):

88 (a) Not later than ten days after each live birth which occurs in this
89 state, a birth certificate shall be filed with the registrar of vital statistics
90 in the town in which the birth occurred and the certificate shall be
91 registered if properly filed, by manual or electronic systems as
92 prescribed by the commissioner. On and after January 1, 1994, each
93 hospital with two hundred or more live births in calendar year 1990, or
94 any subsequent calendar year, shall electronically transmit birth
95 information data to the department in a computer format approved by
96 the department. Each birth certificate shall contain such information as
97 the department may require and shall be completed in its entirety.
98 Medical and health information which is required by the department,
99 including information regarding voluntary acknowledgments of
100 paternity and whether the child was born out of wedlock, shall be
101 recorded on a confidential portion of the certificate to be sent directly
102 to the department. Such confidential records may be used for statistical
103 and health purposes by the department or by a local director of health,
104 as authorized by the department, for records related to the town
105 served by the local director of health and where the mother was a
106 resident at the time of the birth of the child. Such birth certificate and
107 confidential records may be used internally by the hospital for records
108 transmitted by the hospital for statistical, health and quality assurance
109 purposes. The department shall give due consideration to national
110 uniformity in vital statistics in prescribing the format and content of
111 such certificate.

112 Sec. 4. Section 7-50 of the general statutes is repealed and the
113 following is substituted in lieu thereof (*Effective October 1, 2004*):

114 (a) No certificate of birth shall contain any specific statement that
115 the child was born in or out of wedlock or reference to illegitimacy of
116 the child or to the marital status of the mother, except that information
117 on whether the child was born in or out of wedlock and the marital
118 status of the mother shall be recorded on a confidential portion of the
119 certificate pursuant to section 7-48, as amended by this act. Upon the
120 completion of an acknowledgment of paternity at a hospital,
121 concurrent with the hospital's electronic transmission of birth data to

122 the department, or at a town in the case of a home birth, concurrent
123 with the registration of the birth data by the town, the
124 acknowledgment shall be filed in the paternity registry maintained by
125 the department, as required by section 19a-42a, as amended by this act,
126 and the name of the father of a child born out of wedlock shall be
127 entered in or upon the birth certificate or birth record of such child. All
128 properly completed post birth acknowledgments or certified
129 adjudications of paternity received by the department shall be filed in
130 the paternity registry maintained by the department, and the name of
131 the father of the child born out of wedlock shall be entered in or upon
132 the birth record or certificate of such child by the department, if there
133 is no paternity already recorded on the birth certificate. If another
134 father's information is recorded on the certificate, the original father's
135 information shall not be removed except upon receipt by the
136 department of [an] a certified order by a court of competent
137 jurisdiction in which there is a finding that the individual recorded on
138 the birth certificate, specifically referenced by name, is not the child's
139 father, or a finding that a different individual than the one recorded,
140 specifically referenced by name, is the child's father. The name of the
141 father on a birth certificate or birth record shall otherwise be removed
142 or changed only upon the filing of a rescission in such registry, as
143 provided in section 19a-42a, as amended by this act. The Social
144 Security number of the father of a child born out of wedlock may be
145 entered in or upon the birth certificate or birth record of such child if
146 such disclosure is done in accordance with 5 USC 552a note.

147 (b) The department shall restrict access to and issuance of certified
148 copies of acknowledgements of paternity as provided in section 19a-
149 42a, as amended by this act.

150 Sec. 5. Section 7-62b of the general statutes is repealed and the
151 following is substituted in lieu thereof (*Effective October 1, 2004*):

152 (a) A death certificate for each death which occurs in this state shall
153 be completed in its entirety and filed with the registrar of vital
154 statistics in the town in which the death occurred no later than five

155 days after death if filing a paper certificate and no later than three days
156 after death if filing through an electronic death registry system, in
157 order to obtain a burial permit prior to final disposition. The death
158 certificate shall be registered if properly filed. If the place of death is
159 unknown but the body is found in this state, the death certificate shall
160 be completed and filed in accordance with this section, provided the
161 place where the body is found shall be shown as the place of death.

162 (b) The funeral director or embalmer licensed by the department, or
163 the funeral director or embalmer licensed in another state and
164 complying with the terms of a reciprocal agreement on file with the
165 department, in charge of the burial of the deceased person shall
166 complete the death certificate on a form provided by the department,
167 [and shall file it] Said certificate shall be filed by a licensed embalmer
168 or such embalmer's designee or a funeral director or such director's
169 designee, in accordance with the provisions of this section, except
170 when inquiry is required by the Chief Medical Examiner's Office, in
171 which case the death certificate shall be filed in accordance with
172 section 19a-409. The Social Security number of the deceased person
173 shall be recorded on such certificate. Such licensed funeral director or
174 licensed embalmer shall obtain the personal data from the next of kin
175 or the best qualified person or source available and shall obtain a
176 medical certification from the person responsible therefor, in
177 accordance with the provisions of this section. Only a licensed
178 embalmer may assume charge of the burial of a deceased person who
179 [died from] had a communicable disease, as designated in the Public
180 Health Code, at the time of death and such licensed embalmer shall file
181 [the death certificate and a certificate] an affidavit, on a form provided
182 by the department, signed and sworn to by such licensed embalmer [or
183 another licensed embalmer] stating that the body has been disinfected
184 in accordance with the Public Health Code.

185 (c) The medical certification portion of the death certificate shall be
186 completed, signed and returned to the licensed funeral director or
187 licensed embalmer [within] no later than twenty-four hours after death
188 by the physician or advanced practice registered nurse in charge of the

189 patient's care for the illness or condition which resulted in death. In the
190 absence of such physician or advanced practice registered nurse, or
191 with [his] the physician's or advanced practice registered nurse's
192 approval, the medical certification may be completed and signed by [a
193 designated] an associate physician, an advanced practice registered
194 nurse, a physician assistant as provided in subsection (d) of section 20-
195 12d, as amended by this act, a registered nurse as provided in section
196 20-101a, as amended by this act, the chief medical officer of the
197 institution in which death occurred, or by the pathologist who
198 performed an autopsy upon the decedent. No physician, advanced
199 practice registered nurse, physician assistant, registered nurse, chief
200 medical officer or pathologist shall sign and return the medical
201 certification unless [he] such physician, advanced practice registered
202 nurse, physician assistant, registered nurse, chief medical officer or
203 pathologist has personally viewed and examined the body of the
204 person to whom the medical certification relates and [has satisfied
205 himself] is satisfied that at the time of the examination such person
206 was in fact dead. [, except that in the event a] In the event the medical
207 certification is completed by a physician, advanced practice registered
208 nurse, physician assistant, registered nurse, chief medical officer or
209 pathologist other than the one who made the determination and
210 pronouncement of death, [has been made by a registered nurse
211 pursuant to section 20-101a,] such personal viewing and examination
212 of the body shall not be required. If a physician, advanced practice
213 registered nurse, physician assistant, registered nurse, chief medical
214 officer or pathologist refuses or otherwise fails to complete, sign and
215 return the medical portion of the death certificate to the licensed
216 funeral director or licensed embalmer within twenty-four hours after
217 death, such licensed funeral director or embalmer may notify the
218 Commissioner of Public Health of such refusal. The commissioner
219 may, upon receipt of notification and investigation, assess a civil
220 penalty against such physician, advanced practice registered nurse,
221 physician assistant, registered nurse, chief medical officer or
222 pathologist not to exceed two hundred fifty dollars. The medical
223 certification shall state the cause of death, defined so that such death

224 may be classified under the international list of causes of death, the
225 duration of disease if known and such additional information as the
226 Department of Public Health requires. The department shall give due
227 consideration to national uniformity in vital statistics in prescribing the
228 form and content of such information.

229 (d) If the cause of death cannot be determined within twenty-four
230 hours after death and inquiry is not required by the Chief Medical
231 Examiner, the medical certification may be completed in such manner
232 as may be provided by regulation, adopted by the Commissioner of
233 Public Health in accordance with chapter 54. The attending physician
234 or advanced practice registered nurse shall give the licensed funeral
235 director or licensed embalmer notice of the reason for the delay and
236 final disposition of the body shall not be made until a signed medical
237 certification is obtained from the attending physician or advanced
238 practice registered nurse.

239 (e) When a death is presumed to have occurred within this state but
240 the body cannot be located, a death certificate may be prepared by the
241 Chief Medical Examiner upon receipt of an order of a court of
242 competent jurisdiction, which shall include the finding of facts
243 required to complete the death certificate. Such death certificate shall
244 be filed with the Department of Public Health and marked
245 "presumptive" and shall show on its face the date of filing and shall
246 identify the court and the date of decree.

247 (f) The Commissioner of Public Health may by regulation, adopted
248 in accordance with chapter 54, provide for the extension of time
249 periods prescribed for the filing of death certificates in cases where
250 compliance therewith would result in undue hardship.

251 Sec. 6. Section 7-64 of the general statutes is repealed and the
252 following is substituted in lieu thereof (*Effective October 1, 2004*):

253 The body of each person who dies in this state shall be buried,
254 removed or cremated within a reasonable time after death. The person
255 to whom the custody and control of the remains of any deceased

256 person are granted by law shall see that the certificate of death
257 required by law has been completed and filed in accordance with
258 section 7-62b, as amended by this act, prior to final disposition of the
259 body. An authorization for final disposition issued under the law of
260 another state which accompanies a dead body or fetus brought into
261 this state shall be authority for final disposition of the body or fetus in
262 this state. The final disposition of a cremated body shall be recorded as
263 the crematory. The provisions of this section shall not in any way
264 impair the authority of directors of health in cases of death resulting
265 from communicable diseases, nor conflict with any statutes regulating
266 the delivery of bodies to any medical school, nor prevent the placing of
267 any body temporarily in the receiving vault of any cemetery. The
268 placing of any body in a family vault or tomb within any cemetery
269 shall be deemed a burial under the provisions of this section. Any
270 person who violates any provision of this section shall be fined not
271 more than five hundred dollars or imprisoned not more than five
272 years.

273 Sec. 7. Section 7-65 of the general statutes is repealed and the
274 following is substituted in lieu thereof (*Effective October 1, 2004*):

275 [No deceased person shall be buried in the town in which he dies
276 until a burial permit, specifying] The embalmer or funeral director
277 licensed by the department, or licensed in a state having a reciprocal
278 agreement on file with the department and complying with the terms
279 of such agreement, who assumes custody of a dead body shall obtain a
280 burial transit removal permit from the registrar of the town in which
281 the death occurred not later than five calendar days after death, and
282 prior to final disposition or removal of the body from the state. The
283 burial permit shall specify the place of burial [by section, lot or grave]
284 or other place of interment and [stating] state that the death certificate
285 and any other certificate required by law have been returned and
286 recorded. [, has been issued by the registrar of vital statistics, and the
287 registrar shall record the place of any burial other than a public
288 cemetery.] Such registrar shall appoint suitable persons as
289 subregistrars, who shall be authorized to issue [burial permits based

290 upon certificates as hereinbefore provided, and also to issue removal
291 permits based upon certificates as provided in sections 7-68 and 7-69,
292 in the same manner as is required of the registrar] a burial transit
293 removal permit based upon receipt of a completed death certificate as
294 provided in section 7-62b, as amended by this act, during the hours in
295 which the registrar of vital records is closed. All such certificates upon
296 which a permit is issued shall be forwarded to the registrar within
297 seven days after receiving such certificates. The appointment of
298 subregistrars shall be made in writing, with the approval of the
299 selectmen of such town, and shall be made with reference to locality, to
300 best accommodate the inhabitants of the town. Such subregistrars shall
301 be sworn, and their term of office shall not extend beyond the term of
302 office of the appointing registrar. The names of such subregistrars shall
303 be reported to the Department of Public Health. The Chief Medical
304 Examiner, Deputy Chief Medical Examiner and associate medical
305 examiners shall be considered subregistrars of any town in which
306 death occurs for the purpose of issuing burial permits and removal
307 permits. The fee for such burial permit and burial transit removal
308 permit shall be paid to the town in which the death occurred.

309 Sec. 8. Section 7-66 of the general statutes is repealed and the
310 following is substituted in lieu thereof (*Effective October 1, 2004*):

311 [The burial or removal permit required under the provisions of
312 sections 7-65 and 7-67 to 7-70, inclusive, shall be required in each case
313 mentioned in section 7-64 except that, in cases where any body is
314 placed temporarily in the receiving vault of any cemetery and
315 subsequently buried in the same cemetery, no additional burial permit
316 shall be required for such subsequent burial, and except that, in
317 disposing of the ashes of any body that has been cremated, either by
318 burial or by placing such ashes in any cemetery vault, no additional
319 burial permit shall be required.] The sexton of a cemetery shall specify
320 on the burial permit the place of burial, by section, lot or grave, or
321 other place of interment. No additional burial or burial transit removal
322 permit shall be required for a body that is placed temporarily in a
323 receiving vault of any cemetery and subsequently buried in the same

324 cemetery. In each case herein provided for, the sexton of such cemetery
325 shall endorse upon the [original] burial permit the date when the body
326 was placed in the temporary receiving vault, [or when the ashes were
327 buried or were placed in such vault,] and the date when and the place
328 where such body was subsequently buried, [, or where such ashes
329 were buried or placed; and he] The sexton shall also include a
330 statement of the same in [his] the monthly returns to the registrar of
331 vital statistics. If such subsequent burial is to be in any cemetery other
332 than the cemetery where the body was temporarily deposited or if the
333 body is to be cremated, the sexton shall return the burial permit [or
334 transit permit] to the issuing registrar, who shall thereupon issue the
335 necessary permits. Any person who violates any provision of this
336 section shall be fined not more than five hundred dollars or
337 imprisoned not more than five years.

338 Sec. 9. Section 7-68 of the general statutes is repealed and the
339 following is substituted in lieu thereof (*Effective October 1, 2004*):

340 On receipt by the registrar of vital statistics of any town of a
341 certificate of death containing the facts required by section 7-65, as
342 amended by this act, for a permit for burial, or when it appears that
343 such certificate is already a matter of record, or that the original burial
344 permit, by virtue of which the body of any deceased person was
345 brought into such town, is on file or recorded in such registrar's office,
346 the registrar, upon request, shall issue a permit for the disinterment or
347 removal of such body to the responsible licensed funeral director or
348 embalmer, as indicated on the death certificate or burial permit, stating
349 therein the locality of the interment, disinterment or removal; but no
350 permit for the disinterment of the body of any deceased person shall
351 be issued in any case where death was caused by a communicable
352 disease, except by the permission and under the direction of the town
353 director of health.

354 Sec. 10. Section 7-69 of the general statutes is repealed and the
355 following is substituted in lieu thereof (*Effective October 1, 2004*):

356 [Except as provided in section 7-70 no] No person except a licensed
357 embalmer or funeral director licensed by the department, or licensed
358 in a state having a reciprocal agreement on file with the department
359 and complying with the terms of such agreement, shall remove the
360 body of a deceased person, [from one town to another or into the limits
361 of any town in this state unless a permit for such removal has been
362 obtained, as provided by section 7-68, and no] except that once a dead
363 body has been embalmed or prepared in accordance with the Public
364 Health Code and applicable provisions of the general statutes, a
365 licensed embalmer or funeral director may authorize an unlicensed
366 employee to transport such body. No person except a licensed
367 embalmer or funeral director licensed by the department, or licensed
368 in a state having a reciprocal agreement on file with the department,
369 shall remove the body of any deceased person from this state to
370 another state [unless a death certificate signed by a person licensed by
371 the department, or licensed in a state having a reciprocal agreement on
372 file with the department and complying with the terms of such
373 agreement, has been procured] until a burial transit removal permit
374 has been issued in accordance with section 7-65, as amended by this
375 act. No burial [or] transit removal permit shall be issued unless the
376 death certificate has been signed by a licensed embalmer or funeral
377 director licensed by the department, or licensed in a state having a
378 reciprocal agreement on file with the department and complying with
379 the terms of such agreement. [Any embalmer or funeral director
380 licensed by the department, or licensed in a state having a reciprocal
381 agreement on file with the department, may remove the body of any
382 deceased person from or into the limits of any town in this state,
383 provided there shall be attached to the coffin or case containing such
384 body a written or printed permit, signed by the registrar of vital
385 statistics in the town in which such person died, certifying the cause of
386 death or disease of which such person died and the town in which
387 such person is to be buried. The permit shall also certify that, when
388 death was due to any communicable disease specified by the Public
389 Health Code, the body has been] In the case of a deceased person who,
390 at the time of death, had a communicable disease specified by the

391 Public Health Code, the permit shall certify that the body was
392 prepared in accordance with the regulations of the Public Health Code.
393 Such permit shall be sufficient to permit the burial of such deceased
394 person in any town in this state other than the town in which such
395 person died, without a burial permit from the registrar of the town
396 where such person is to be buried. If the body of a deceased person is
397 brought into the state for burial and is accompanied by a burial transit
398 removal permit issued by the legally constituted authorities of the state
399 from which it was brought, such permit shall be received as sufficient
400 authority for burial; but, if it is not accompanied by such permit, then
401 the person or persons in charge of it shall apply for a burial permit to
402 the registrar of vital statistics of the town in which it is to be buried,
403 and such registrar shall issue such permit when furnished with such
404 information as to the identity of the deceased and the cause of death as
405 is required by section 7-62b, as amended by this act, concerning a
406 person dying in this state. Any person who violates any provision of
407 this section, or who knowingly signs a false permit or knowingly
408 allows a false permit to be used in lieu of a permit required by this
409 section, shall be fined not more than five hundred dollars or
410 imprisoned not more than six months, or both.

411 Sec. 11. Section 7-72 of the general statutes is repealed and the
412 following is substituted in lieu thereof (*Effective October 1, 2004*):

413 (a) Each [person] sexton having charge of any burial place shall,
414 during the first week of each month, return a list of all interments,
415 disinterments and removals made by [him] such sexton during the
416 month next preceding, with the dates thereof, to the registrar of the
417 town and also, within said time, file with the registrar permits received
418 by [him] such sexton by virtue of which a body has been brought into
419 the town from another town or state for burial, with [his] such sexton's
420 endorsement thereon showing when and in what cemeteries the
421 interments took place. The registrar shall inscribe upon [the back of]
422 each certificate and each permit so received the date of its reception
423 and record such lists and permits in books to be furnished by the
424 Department of Public Health. When a permit has been given for the

425 disinterment and removal of a body, the registrar shall make a
426 memorandum on [his] the registrar's records of such removal and the
427 place to which such body was removed.

428 (b) Any sexton who fails to make the appropriate filing of reports as
429 required by subsection (a) of this section by the end of the third week
430 of a month to the registrar of the town, shall be subject to a fine of not
431 more than one hundred dollars per day.

432 Sec. 12. Subsection (a) of section 7-73 of the general statutes is
433 repealed and the following is substituted in lieu thereof (*Effective*
434 *October 1, 2004*):

435 (a) To any person performing the duties required by the provisions
436 of the general statutes relating to registration of births, marriages,
437 deaths and fetal deaths, the following fees shall be allowed: (1) To the
438 registrar for completing each record of birth by procuring and
439 inserting the full name of the child, or for the recording, indexing,
440 copying and endorsing of each birth, marriage, death or fetal death
441 certificate, two dollars; (2) for the license to marry, ten dollars; and (3)
442 for issuing each burial or burial transit removal permit, three dollars.

443 Sec. 13. Section 7-74 of the general statutes is repealed and the
444 following is substituted in lieu thereof (*Effective October 1, 2004*):

445 The fee for a certification of birth registration shall be five dollars
446 and the fee for a certified copy of a certificate of birth shall be five
447 dollars, except that the fee for such certifications and copies when
448 issued by the department shall be fifteen dollars. The fee for a certified
449 copy of a certificate of marriage or death shall be five dollars. Such fees
450 shall not be required of [any federal agency or] the department.

451 Sec. 14. Subsection (a) of section 19a-42 of the general statutes is
452 repealed and the following is substituted in lieu thereof (*Effective*
453 *October 1, 2004*):

454 (a) To protect the integrity and accuracy of vital records, a certificate

455 registered under chapter 93 may be amended only in accordance with
456 sections 19a-41 to 19a-45, inclusive, chapter 93, regulations adopted by
457 the Commissioner of Public Health pursuant to chapter 54 and
458 uniform procedures prescribed by the commissioner. Only the
459 commissioner may amend birth certificates to reflect changes
460 concerning parentage or gender change. Amendments related to
461 parentage or gender change shall result in the creation of a
462 replacement certificate that supersedes the original, and shall in no
463 way reveal the original language changed by the amendment. Any
464 amendment to a vital record made by the registrar of vital statistics of
465 the town in which the vital event occurred or by the commissioner
466 shall be in accordance with such regulations and uniform procedures.

467 Sec. 15. Subsection (d) of section 19a-42 of the general statutes is
468 repealed and the following is substituted in lieu thereof (*Effective*
469 *October 1, 2004*):

470 (d) (1) Upon receipt of (A) an acknowledgment of paternity
471 executed in accordance with the provisions of subsection (a) of section
472 46b-172 by both parents of a child born out of wedlock, or (B) a
473 certified copy of an order of a court of competent jurisdiction
474 establishing the paternity of a child born out of wedlock, the
475 commissioner shall include on or amend, as appropriate, such child's
476 birth certificate to show such paternity if paternity is not already
477 shown on such birth certificate [or to change the name of the child or
478 both. If another father is listed on the birth certificate, the department
479 shall not remove or replace the father's information unless presented
480 with a court order that meets the requirements specified in section 7-
481 50. Birth certificates amended under this subsection shall not be
482 marked "Amended"] and to change the name of the child if so
483 indicated on the acknowledgment of paternity form or within the
484 certified court order as part of the paternity action.

485 (2) If another father is listed on the birth certificate, the
486 commissioner shall not remove or replace the father's information
487 unless presented with a certified court order that meets the

488 requirements specified in section 7-50, as amended by this act, or upon
489 the proper filing of a rescission, in accordance with the provisions of
490 section 46b-172. The commissioner shall thereafter amend such child's
491 birth certificate to remove or change the father's name and to change
492 the name of the child, as requested at the time of the filing of a
493 rescission, in accordance with the provisions of section [7-50] 46b-172.
494 Birth certificates amended under this subsection shall not be marked
495 "Amended".

496 (3) A fee of twenty-five dollars shall be charged by the department
497 for each amendment to a birth certificate requested pursuant to this
498 subsection which request is not received from a hospital, a state agency
499 or a court of competent jurisdiction.

500 Sec. 16. Section 19a-42a of the general statutes is repealed and the
501 following is substituted in lieu thereof (*Effective October 1, 2004*):

502 (a) All (1) voluntary acknowledgments of paternity and rescissions
503 of such acknowledgments executed in accordance with subsection (a)
504 of section 46b-172, and (2) adjudications of paternity issued by a court
505 or family support magistrate under section 46b-171, section 46b-172a
506 or any other provision of the general statutes shall be filed in the
507 paternity registry maintained by the Department of Public Health. All
508 information in such registry shall be made available to the IV-D
509 agency, as defined in subdivision (12) of subsection (b) of section 46b-
510 231, as amended, for comparison with information in the state case
511 registry established under subsection (l) of section 17b-179, as
512 amended.

513 (b) Except for the IV-D agency, as provided in subsection (a) of this
514 section, the department shall restrict access to and issuance of certified
515 copies of acknowledgements of paternity to the following parties: (1)
516 Parents named on the acknowledgment of paternity; (2) the person
517 whose birth is acknowledged, if such person is over eighteen years of
518 age; (3) an authorized representative of the Department of Social
519 Services; (4) an attorney representing such person or a parent named

520 on the acknowledgment; or (5) agents of a state or federal agency, as
521 approved by the department.

522 Sec. 17. Section 19a-44 of the general statutes is repealed and the
523 following is substituted in lieu thereof (*Effective October 1, 2004*):

524 To protect the integrity of vital records and to prevent the
525 fraudulent use of birth certificates of deceased persons, the
526 Commissioner of Public Health [is] and the local registrars of vital
527 records are hereby authorized to match birth and death certificates and
528 to post the facts of death to the appropriate birth certificate. Copies
529 issued from birth certificates marked deceased shall be similarly
530 marked.

531 Sec. 18. Section 19a-270 of the general statutes is repealed and the
532 following is substituted in lieu thereof (*Effective October 1, 2004*):

533 The first selectman of any town, the mayor of any city, the
534 administrative head of any state correctional institution or the
535 superintendent or person in charge of any almshouse, asylum,
536 hospital, morgue or other public institution which is supported, in
537 whole or in part, at public expense, having in his possession or control
538 the dead body of any person which, if not claimed as hereinafter
539 provided, would have to be buried at public expense, or at the expense
540 of any such institution, shall, immediately upon the death of such
541 person, notify his relatives thereof, if known, and, if such relatives are
542 not known, shall notify the person or persons bringing or committing
543 him to such institution. Such official shall, within twenty-four hours
544 from the time such body came into his possession or control, give
545 notice thereof to the Department of Public Health and shall deliver
546 such body to The University of Connecticut, the Yale University School
547 of Medicine or the University of Bridgeport College of Chiropractic or
548 its successor institution, as said department may direct and in
549 accordance with an agreement to be made among said universities in
550 such manner as is directed by said department and at the expense of
551 the university receiving the body, if The University of Connecticut,

552 Yale University, or the University of Bridgeport College of
553 Chiropractic or its successor institution, at any time within one year,
554 has given notice to any of such officials that such bodies would be
555 needed for the purposes specified in section 19a-270b; provided any
556 such body shall not have been claimed by a relative, either by blood or
557 marriage, or a legal representative of such deceased person prior to
558 delivery to any of said universities. The university receiving such body
559 shall not embalm such body for a period of at least forty-eight hours
560 after death, and any relative, either by blood or marriage, or a legal
561 representative of such deceased person may claim such body during
562 said period. If any such body is not disposed of in either manner
563 herein specified, it may be cremated or buried. When any person has
564 in his possession or control the dead body of any person which would
565 have to be buried at public expense or at the expense of any such
566 institution, he shall, within forty-eight hours after such body has come
567 into his possession or control, file, with the registrar of the town within
568 which such death occurred, a certificate of death as provided in section
569 7-62b, as amended by this act, unless such certificate has been filed by
570 a funeral director. Before any such body is removed to any of said
571 universities, the official or person contemplating such removal shall
572 secure a [burial or transit] burial transit removal permit which shall be
573 delivered with the body to the official in charge of such university,
574 who shall make return of such [burial or transit] burial transit removal
575 permit in the manner provided in section 7-72, as amended by this act.
576 [; except that any such body removed to such university under the
577 provisions of section 7-70 shall not be required to be returned to the
578 town where death occurred, provided the permit for permanent
579 removal as required under the provisions of section 7-69 shall be
580 secured as soon as practicable after such removal.]

581 Sec. 19. Section 19a-322 of the general statutes is repealed and the
582 following is substituted in lieu thereof (*Effective October 1, 2004*):

583 The managers of each crematory shall keep books of record, which
584 shall be open at reasonable times for inspection, in which shall be
585 entered the name, age, sex and residence of each person whose body is

586 cremated, together with the authority for such cremation and the
587 disposition of the ashes. The owner or superintendent shall
588 [immediately forward to the registrar by whom the permit required by
589 section 19a-323 was issued a certified duplicate of such record, which
590 duplicate the] complete the cremation permit required by section 19a-
591 323, as amended by this act, retain a copy for record and immediately
592 forward the original permit to the registrar of the town in which the
593 death occurred. The registrar shall keep the cremation permit on file
594 and record it with other vital statistics. When any body is removed
595 from this state for the purpose of cremation, the person having the
596 legal custody and control of such body shall cause a certificate to be
597 procured from the person in charge of the crematory in which such
598 body is incinerated, stating the facts called for in this section, and
599 cause such certificate to be filed for record with the registrar [by whom
600 the permit was issued] of the town in which the death occurred.

601 Sec. 20. Section 19a-323 of the general statutes is repealed and the
602 following is substituted in lieu thereof (*Effective October 1, 2004*):

603 The body of any deceased person may be disposed of by
604 incineration or cremation in this state or may be removed from the
605 state for such purpose. If death occurred in this state, the death
606 certificate required by law shall be filed with the registrar of vital
607 statistics for the town in which such person died, if known, or, if not
608 known, for the town in which the body was found. [, and a cremation
609 certificate from the] The Chief Medical Examiner, Deputy Chief
610 Medical Examiner, associate medical examiner, or an authorized
611 assistant medical examiner shall complete the cremation certificate,
612 stating that [he] such medical examiner has made inquiry into the
613 cause and manner of death and is of the opinion that no further
614 examination or judicial inquiry is necessary. [,] The cremation
615 certificate shall be [filed with] submitted to the registrar of vital
616 statistics of the town in which such person died, if known, or, if not
617 known, of the town in which the body was found, or with the registrar
618 of vital statistics of the town in which the funeral director having
619 charge of the body is located. Upon receipt of the cremation certificate,

620 the registrar shall authorize the cremation certificate, keep it on
621 permanent record, and issue a cremation permit, except that if the
622 cremation certificate is submitted to the registrar of the town where the
623 funeral director is located, such certificate shall be forwarded to the
624 registrar of the town where the person died to be kept on permanent
625 record. The estate of the deceased person, if any, shall pay the sum of
626 forty dollars for the issuance of the cremation certificate or an amount
627 equivalent to the compensation then being paid by the state to
628 authorized assistant medical examiners, if greater. [Upon receiving
629 such certificate, the registrar shall issue a permit for the cremation of
630 such body; except that no such] No cremation certificate shall be
631 required for a permit to cremate the remains of bodies pursuant to
632 section 19a-270a. [and except that, when] When the cremation
633 certificate is issued in a town other than that where the person died,
634 the registrar of vital statistics for such other town shall ascertain from
635 the original burial transit removal permit that the certificates required
636 by the state statutes have been received and recorded, that the body
637 has been prepared in accordance with the Public Health Code and that
638 the entry regarding the place of disposal is correct. Whenever the
639 registrar finds that the place of disposal is incorrect, [he] the registrar
640 shall issue a corrected burial transit removal permit and, after
641 inscribing and recording the original permit in the manner prescribed
642 for sextons' reports under section 7-72, as amended by this act, shall
643 then immediately give written notice to the registrar for the town
644 where the death occurred of the change in place of disposal stating the
645 name and place of the crematory and the date of cremation. Such
646 written notice shall be sufficient authorization to correct these items on
647 the original certificate of death. No body shall be cremated until at
648 least forty-eight hours after death, unless such death was the result of
649 communicable disease, and no body shall be received by any
650 crematory unless accompanied by the permit provided for in this
651 section. The fee for a cremation permit shall be three dollars and for
652 the written notice one dollar. The Department of Public Health shall
653 provide forms for such permits, which shall not be the same as for
654 regular burial permits, and such blanks and books as may be required

655 by the registrars.

656 Sec. 21. Subsection (d) of section 20-12d of the general statutes is
657 repealed and the following is substituted in lieu thereof (*Effective*
658 *October 1, 2004*):

659 (d) A physician assistant licensed under this chapter may make the
660 actual determination and pronouncement of death of a patient,
661 provided: (1) The death is an anticipated death; (2) the physician
662 assistant attests to such pronouncement on the certificate of death; and
663 (3) the physician assistant or a physician licensed by the state of
664 Connecticut certifies the death and signs the certificate of death
665 [within] no later than twenty-four hours [of] after the pronouncement.
666 [by the physician assistant.]

667 Sec. 22. Subsection (b) of section 20-87a of the general statutes is
668 repealed and the following is substituted in lieu thereof (*Effective*
669 *October 1, 2004*):

670 (b) Advanced nursing practice is defined as the performance of
671 advanced level nursing practice activities that, by virtue of postbasic
672 specialized education and experience, are appropriate to and may be
673 performed by an advanced practice registered nurse. The advanced
674 practice registered nurse performs acts of diagnosis and treatment of
675 alterations in health status, as described in subsection (a) of this
676 section, and shall collaborate with a physician licensed to practice
677 medicine in this state. If practicing in (1) an institution licensed
678 pursuant to subsection (a) of section 19a-491, as amended, as a
679 hospital, residential care home, health care facility for the
680 handicapped, nursing home, rest home, mental health facility,
681 substance abuse treatment facility, infirmary operated by an
682 educational institution for the care of students enrolled in, and faculty
683 and staff of, such institution, or facility operated and maintained by
684 any state agency and providing services for the prevention, diagnosis
685 and treatment or care of human health conditions, or (2) an industrial
686 health facility licensed pursuant to subsection (h) of section 31-374

687 which serves at least two thousand employees, or (3) a clinic operated
688 by a state agency, municipality, or private nonprofit corporation, or (4)
689 a clinic operated by any educational institution prescribed by
690 regulations adopted pursuant to section 20-99a, the advanced practice
691 registered nurse may, in collaboration with a physician licensed to
692 practice medicine in this state, prescribe, dispense, and administer
693 medical therapeutics and corrective measures. In all other settings, the
694 advanced practice registered nurse may, in collaboration with a
695 physician licensed to practice medicine in the state, prescribe and
696 administer medical therapeutics and corrective measures and may
697 dispense drugs in the form of professional samples in accordance with
698 sections 20-14c to 20-14e, inclusive, except that an advanced practice
699 registered nurse licensed pursuant to section 20-94a and maintaining
700 current certification from the American Association of Nurse
701 Anesthetists who is prescribing and administering medical
702 therapeutics during surgery may only do so if the physician who is
703 medically directing the prescriptive activity is physically present in the
704 institution, clinic or other setting where the surgery is being
705 performed. For purposes of this subsection, "collaboration" means a
706 mutually agreed upon relationship between an advanced practice
707 registered nurse and a physician who is educated, trained or has
708 relevant experience that is related to the work of such advanced
709 practice registered nurse. The collaboration shall address a reasonable
710 and appropriate level of consultation and referral, coverage for the
711 patient in the absence of the advanced practice registered nurse, a
712 method to review patient outcomes and a method of disclosure of the
713 relationship to the patient. Relative to the exercise of prescriptive
714 authority, the collaboration between an advanced practice registered
715 nurse and a physician shall be in writing and shall address the level of
716 schedule II and III controlled substances that the advanced practice
717 registered nurse may prescribe and provide a method to review
718 patient outcomes, including, but not limited to, the review of medical
719 therapeutics, corrective measures, laboratory tests and other diagnostic
720 procedures that the advanced practice registered nurse may prescribe,
721 dispense and administer. An advanced practice registered nurse

722 licensed under the provisions of this chapter may make the
 723 determination and pronouncement of death of a patient, provided the
 724 advanced practice registered nurse attests to such pronouncement on
 725 the certificate of death and signs the certificate of death no later than
 726 twenty-four hours after the pronouncement.

727 Sec. 23. Section 20-101a of the general statutes is repealed and the
 728 following is substituted in lieu thereof (*Effective October 1, 2004*):

729 (a) A registered nurse, licensed under this chapter, in charge in a
 730 hospice or nursing home facility as defined in section 19a-521, or a
 731 registered nurse, licensed under this chapter or a registered nurse
 732 employed by a home health care agency licensed by the state of
 733 Connecticut, in a home or residence may make the actual
 734 determination and pronouncement of death of a patient provided that
 735 the following conditions are satisfied: (1) The death is an anticipated
 736 death; (2) the registered nurse attests to such pronouncement on the
 737 certificate of death; and (3) the registered nurse, an advanced practice
 738 registered nurse licensed under chapter 378, or a physician licensed
 739 [by the state of Connecticut] under chapter 370 certifies the death and
 740 signs the certificate of death [within] no later than twenty-four hours
 741 [of] after the pronouncement. [by the registered nurse.]

742 (b) The Department of Public Health shall adopt regulations, in
 743 accordance with the provisions of chapter 54, to establish the
 744 procedures for the implementation of this section. [The department
 745 shall be required to notify all persons affected by such implementation,
 746 including, but not limited to, hospices, nursing home facilities,
 747 physicians, home health care agencies, emergency medical technicians,
 748 funeral directors and medical examiners.]

749 Sec. 24. Section 20-212 of the general statutes is repealed and the
 750 following is substituted in lieu thereof (*Effective October 1, 2004*):

751 No person, except a licensed embalmer, shall inject any fluid or
 752 substance into any dead human body, except that a registered student
 753 embalmer may, even if not in the presence of a licensed embalmer,

754 make such injection or perform any other act under his instruction;
755 and no person, firm or corporation shall enter, engage in, carry on or
756 manage for another the business of caring for, preserving or disposing
757 of dead human bodies until each person, firm or corporation so
758 engaged has obtained from the Department of Public Health and holds
759 a license as provided in this chapter; nor shall any person be employed
760 to remove a dead human body, except a licensed embalmer, a
761 registered student embalmer, a licensed funeral director, or a person
762 authorized in each instance by the Chief Medical Examiner, Deputy
763 Medical Examiner or assistant medical examiner incidental to
764 examining the body of a deceased person, except that once a dead
765 human body has been prepared in accordance with the Public Health
766 Code and the applicable provisions of the general statutes, an
767 embalmer or funeral director licensed in this state may authorize [a
768 nonlicensed] an unlicensed employee to [remove] transport such body.
769 [Nothing in this section shall be construed to affect any provision of
770 section 7-70.] Nothing in this section shall be construed to prohibit any
771 person licensed as an embalmer or as a funeral director under the laws
772 of another state from bringing into or removing from this state a dead
773 human body, provided any and all other laws of this state relative to
774 such body have been complied with.

775 Sec. 25. Section 20-215 of the general statutes is repealed and the
776 following is substituted in lieu thereof (*Effective October 1, 2004*):

777 No licensed embalmer shall sign [a certificate] an affidavit attesting
778 the preparation or embalming of any body unless such body has been
779 prepared or embalmed by him, or by a registered student embalmer
780 under his personal supervision.

781 Sec. 26. Section 46b-25 of the general statutes is repealed and the
782 following is substituted in lieu thereof (*Effective October 1, 2004*):

783 No license may be issued by the registrar until both persons have
784 appeared before the registrar and made application for a license. The
785 license shall be completed in its entirety, dated, signed and sworn to

786 by each applicant and shall state each applicant's name, age, race,
 787 birthplace, residence, whether single, widowed or divorced and
 788 whether under the supervision or control of a conservator or guardian.
 789 The Social Security numbers of the bride and the groom shall be
 790 recorded in the "administrative purposes" section of the license. If the
 791 license is signed and sworn to by the applicants on different dates, the
 792 earlier date shall be deemed the date of application.

793 Sec. 27. Subsection (a) of section 46b-34 of the general statutes is
 794 repealed and the following is substituted in lieu thereof (*Effective*
 795 *October 1, 2004*):

796 (a) Each person who joins any person in marriage shall certify upon
 797 the license certificate the fact, time and place of the marriage, and
 798 return it to the registrar of the town where [it was issued] the marriage
 799 took place, before or during the first week of the month following the
 800 marriage. Any person who fails to do so shall be fined not more than
 801 ten dollars.

802 Sec. 28. (*Effective October 1, 2004*) Sections 7-70 and 46b-32 of the
 803 general statutes, as amended, are repealed.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>
Sec. 2	<i>October 1, 2004</i>
Sec. 3	<i>October 1, 2004</i>
Sec. 4	<i>October 1, 2004</i>
Sec. 5	<i>October 1, 2004</i>
Sec. 6	<i>October 1, 2004</i>
Sec. 7	<i>October 1, 2004</i>
Sec. 8	<i>October 1, 2004</i>
Sec. 9	<i>October 1, 2004</i>
Sec. 10	<i>October 1, 2004</i>
Sec. 11	<i>October 1, 2004</i>
Sec. 12	<i>October 1, 2004</i>
Sec. 13	<i>October 1, 2004</i>
Sec. 14	<i>October 1, 2004</i>

Sec. 15	<i>October 1, 2004</i>
Sec. 16	<i>October 1, 2004</i>
Sec. 17	<i>October 1, 2004</i>
Sec. 18	<i>October 1, 2004</i>
Sec. 19	<i>October 1, 2004</i>
Sec. 20	<i>October 1, 2004</i>
Sec. 21	<i>October 1, 2004</i>
Sec. 22	<i>October 1, 2004</i>
Sec. 23	<i>October 1, 2004</i>
Sec. 24	<i>October 1, 2004</i>
Sec. 25	<i>October 1, 2004</i>
Sec. 26	<i>October 1, 2004</i>
Sec. 27	<i>October 1, 2004</i>
Sec. 28	<i>October 1, 2004</i>

PH *Joint Favorable Subst.*